

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONALD GREUTER,

Defendant.

**4:20CR3080**

**ORDER**

Defendant has moved to file a motion to suppress out of time, stating that upon further consideration of the law and facts, he believes the searches conducted on January 8, 2020 were unconstitutional. (Filing No. 93). The government does not oppose the motion. The court finds the motion should be granted.

Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to suppress, (Filing No. 93), is deemed timely filed. The government's response is due on April 6, 2022.
- 2) Trial of this case is continued pending resolution of the pending motion.
- 3) The ends of justice served by granting Defendant's motion outweigh the interests of the public and the defendant in a speedy trial, and the time between the previously set pretrial motion deadline, July 16, 2021 and today's date shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided

under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

March 28, 2022.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge